

REMARKS

Claims 1, 37, and 45 have been amended.

Claims 51- 55 are allowed.

Claims 61-74 have been added reciting allowed subject matter.

Allowable Subject Matter

In the Final office action mailed November 13, 2008, the Examiner indicated that claim 44 was objected to for being dependent from a rejected base claim but would be allowable if rewritten in independent form incorporating the limitations of the rejected base claim and any intervening limitations. In the response to that Final office action, the Applicants rewrote claim 44 as new independent claim 56 that incorporated the limitations of the rejected base claim 37 and objected to claim 44. Therefore the Applicant believes that the Examiner has mistakenly rejected claim 56 and request that the rejection be withdrawn for claim 56 and all claims dependent thereon.

The Examiner stated that claims 6, 41, 43, 48, and 60 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Objected to claim 6 has been rewritten in independent form including all of the limitations of claim 1 as new independent claim 61.

Objected to claim 41 has been rewritten in independent form including all of the limitations of base claim 37 and any intervening limitations as new independent claim 65.

Objected to claim 43 has been rewritten in independent form including all of the limitations of claim 1 as new independent claim 69.

Objected to claim 48 has been rewritten in independent form including all of the limitations of claim 45 and any intervening limitations as new independent claim 72.

Objected to claim 60 has been rewritten in independent form including all of the limitations of claim 56 and any intervening limitations as new independent claim 74.

The Examiner rejected a number of claims under 35 U.S.C. 102(e) as being anticipated by U.S Patent 7,248,239 issued to Dowling. Claims 1, 37, and 45 have been amended to specifically recite at least:

“an indicator assembly, wherein the indicator assembly indicates at least events associated with the computing device and produces at least a shaped indicator image on the outer surface of the housing having sharp well defined edges at a specific small region of the illuminable portion of the outer surface of the housing when activated”.

In contrast, Dowling relies upon “light traveling along the surface or through the material will be reflected off of or out of the material by imperfections in the material. These imperfections can be introduced deliberately or through inherent properties of the materials. Making patterns of imperfections on or in the material can create surface lighting effects...” at column 3 lines 47 – 52. By relying only upon imperfections in the light transmitting material, Dowling can not provide a shaped indicator image on the outer surface of the housing having sharp well defined edges as required by claim 1. At best, Dowling can use the imperfections to create “surface lighting effects” such as a glowing surface, or a surface that appears to be scratched. However, an imperfection is basically random in nature and cannot be reliably used to create shapes with well defined edges as recited in claim 1. Contrast this to the invention, where the images are well defined, clear and (as specifically recited in claim 45) do not rely on imperfections or other defects in the housing material for the esthetic appeal of the illuminated

housing. On the contrary, the aesthetic appeal of the inventive housing relies upon *the lack of imperfections in the housing.*

For at least this reason, the Applicants believe that Dowling does not anticipate independent claims 1, 37, and 45 and request that the rejections thereof be withdrawn. All claims dependent from claims 1, 37 (including claim 39), and 45 are also believed to be allowable.

CONCLUSION

Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER LAW GROUP LLP

/Michael J. Ferrazano/
Michael J. Ferrazano
Reg. No. 44,105

P.O. Box 1687
Cupertino, CA 95015-1687
408-255-8001